Issue: "We also seek comment on the extent to which unlicensed spectrum is being used to provide wireless services to rural communities."

Response: Most if not all radio broadband Internet uses unlicensed spectrum. Texas alone has over 50 wireless ISPs servicing rural areas. Reference: http://www.bbwexchange.com/wisps/texas-wisps.asp, http://www.part-15.org/maps/WISPLocate.asp (a new site--still being populated).

Issue: "We ask commenters to identify the service providers that are utilizing unlicensed spectrum and the types of services they are offering."

Response: Wiacomm, Inc., www.wiacomm.net, provides high-speed broadband Internet service via 2.4GHz radio to North Texas residents outside the areas served by DSL or cable access. To the best of our knowledge, neither phone or cable providers ever intend to bring broadband service to these areas.

Issue: "Further, we seek comment regarding actions the Commission could take to encourage or facilitate the use of unlicensed spectrum. ... Should unlicensed devices be permitted to use higher output power levels in such environments?"

Response: Yes. Linear increase in power translates to geometric increase in number of customers served. Even a small increase (say 200% of present levels) could open the door to high-speed Internet to thousands of rural Texans. Large increases (10x) would allow affordable service to almost every Texan, even given the very large area and low population density in much of the state.

In addition, increase in transmitter power may allow for lower-cost customer-end equipment given that 80% of high-speed data transfer is downloading. The high cost of CPEs (customer premises equipment) bars many potential subscribers from the service.

Issue: "If so, what criteria would have to be met in order to qualify to use the higher power levels?"

Response: For small increases, no more criteria than presently used. For larger increases—10 to 100x—base power levels on existing population density (lower = higher power level allowed) and absence of interference trouble spots such as military bases.